

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INTELLIVISION, a Joint Venture,)	
BRUCE ADAMS, JOHN DANIELS, and)	ECF CASE
PAUL HOFFMAN,)	
)	
Plaintiffs,)	Civil Action No.
)	07-CV-4079(JGK)(MHD)
v.)	
)	
MICROSOFT CORPORATION,)	
)	
)	
Defendant.)	
)	

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT on the basis of the Memorandum of Law and Declaration of Bruce D. Katz, Esq., along with the accompanying exhibits filed concurrently herewith, Plaintiffs, Intellivision, Bruce Adams, John Daniels and Paul Hoffman, by their undersigned attorney, hereby moves this Honorable Court, pursuant to Federal Rules of Civil Procedure 56(e) and 6(b), and the Court's inherent authority to manage its docket to include in the summary judgment record:

- (1) A two-page assignment omitted from the copy of the parties' Agreement filed by Microsoft - demonstrating that Microsoft and its counsel have known for a decade that the patent applications Microsoft acquired were owned by plaintiffs Daniels, Adams and Hoffman *in their individual capacities*;
- (2) Sworn declarations attesting to the truth of the contents of plaintiffs' expert reports under penalty of perjury;
- (3) An executed copy of the Declaration of plaintiff Paul Hoffman;
- (4) Correspondence demonstrating the existence of Intellivision's New York City office -which Microsoft never denied until its counsel's December 17, 2010 letter to the Court; and
- (5) Documentation supporting plaintiffs' representation that Intellivision's closed its Seymour, Connecticut office in the early 2001 -

which Microsoft has falsely denied despite being advised of it in writing nearly ten years ago.

Respectfully submitted,

Dated: January 21, 2011

/s/

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Intellivision, a Joint Venture, Bruce Adams
John Daniels and Paul Hoffman*